

The National Public Service Observatory : Building Administrative Culture and Achieving Government Excellence

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Abstract: The growing concern in Algeria to the need improving public service in public administration resulted in a set of related legal reforms, where among these, the establishment of the national public service observatory is considered a central legal body by virtue of presidential decree 03-16. It aims primarily at promoting job performance and facilitating administrative work through assessing the state of public services, and searching for available solutions and alternatives to the surrounding of administrative problems. However, a review of the composition and legal system is required to activate its roles, keep pace with the obtained changes and bring the administration closer to the citizen achieving a quality of public service.

Keywords: National Public Service Observatory; Electronic administration; Public Service; consultation.

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1. INTRODUCTION

The improvement of public services is considered among the encountered principal challenges of public administration. Governments sought to embody this through administrative system reforms to achieve prosperity in different social, economic, and cultural fields. The governmental device was public policy-making, the contributor to enacting laws that enable the achievement of social justice and undertaking to implement and transfer from suggestions and abstract ideas to a

tangible reality. Despite this fact, public administration is responsible to apply all the plans and present different services which in turn, the political leadership is committed to its citizens (Omar B. , 1984, p. 36).

The Algerian state relied upon a set of reforms to build up the administrative system and delimit the negative phenomenon that the public administration suffers from; To illustrate, the bureaucracy has pushed many citizens to fear due to some exacerbating behaviors as the employee's disinterest of the citizen's concerns, the job neglect, the complication of administrative procedures, and so many factors leading up to the obstruction of the relationship between the administration and citizens. In order to improve the relationship and to restore confidence between the administration and citizens, the Algerian government issued decree number 88-131 (decree p.), it implies the organization of the relationship between the administration and citizens through which it sticks the administration to the necessity of the media and the citizen's reception, and keens on the continual improvement of the service's quality it serves.

Within the same context, a national advisory central body has been established by presidential decree number 16-03 (presidential), it implies the establishment of a national public service observatory (NPSO), it plays different roles that aim basically to improve, promote, and modernize public utilities as well as the ensuring of an effective, qualified public service.

In this regard, the statement of the problem raised: How does the national public service observatory contribute to improving and promoting public service?

To answer the problem posed, the following questions emerged:

- What is the conceptual meaning of NPSO?
- What is the legislative nature of NPSO?
- What are the roles and tasks of NPSO?

In order to study the problem posed, the following hypotheses were reliable to take under investigation:

The first hypothesis: The national observatory body for public utility mainly contributes to improving and promoting public services.

The second hypothesis: The national observatory for public utility faces legal and regulatory restrictions to achieve government excellence..

The Objectives of Research: Generally, this research aims to provide a comprehensive view of the national observatory for public utility as a new means and an alternative to improve public services.

To shed light on the applied legal roles and tasks of the national observatory for public utility.

To analyze the methods that enable the national observatory for a public utility to play clearly its tasks with the purpose of improving and enhancing the public services for modernizing the public administration.

Previous Studies:

- A study organized by Prabha Ramsook – Solakshana Lukea – Perjunjodi Naidoo was entitled “Service Quality in the Public Service”, the study was issued in an international magazine of management and marketing. The results of the study insisted on the necessity to improve public services by the extent to which customer services are expected, and through continuous studies, tools measuring service quality; Thereby, understanding governmental promotion in a sense of a global context.
- The authors of the two professors Julie Dolan – David H Rosenbloom under the title “Representative Bureaucracy Classic Readings and Continuing Controversies”, the book implies an analytic study of the representative bureaucracies and their performance extent for public services, which relies basically upon cultural connections and administrative decision-making through a participatory approach based on the principle of equal opportunity, and democratic oversight of management to improve the administrative performance.
- A study organized by Keith Dowding under the title “The Civil Service”, tackled the public service and the state on the one hand, and the classic, modern administrative models and their impact to improve the public service on the other hand.
- A study made by the researcher Rabehi Karima under the title “The legal frame of the national observatory for public utility, the Magazine of Studies in the public function, number 8, June 2021; Yet, the researcher has reached that the national observatory for public utility presented many recommendations and suggestions in the field of public utility promotion, as the modernization of negotiation means between the public establishments in the public utility field. However, the researcher criticized the observatory structure which did not include terms of the scientific capacity and qualifications.

The Methodology of the Study: In an attempt to answer the problem statement, and test the validity of the hypotheses, a case study method was adopted

(Mohammed C. , 1997, p. 87) considering the analysis unit of the NPSO, and in an attempt to understand its role in achieving a qualified public service.

This study relies upon an institutional approach (Mohammed A. N., 2002, pp. 204-206) as well as a descriptive detailing and explanation of the study under investigation “the national public service observatory” through an institutional analysis¹ which is based on its study on the official, legal sides of the national observatory for public utility.

The Research Plan and Structure: This study entails four basic elements, three elements represent a general entrance to the NPSO by defining the observatory, its formulation, and its legal nature; However, the last element is represented in the roles assigned to, and the most important means than enable the NPSO to promote and improve the public services.

1. The National Public Service as an Advisory Body to Improve the Public Service

The governmental chart of 2014 is considered the first building block to modernize the NPSO. Yet, 38% of the total revenues were dedicated to the development of basal structures, the improvement of public service, and the modernized administrative structures which were established in 2016 to improve the administrative performance in public utility and service (Sabiha, 2011, p. 11).

1.1. A General Introduction to the National Public Service Observatory

The modernization of specialized public administrative bodies is capable to promote administrative work and improve the quality of public service, that through the fight and limitation of the entire negative phenomenon which bridges the gap between the administration and the citizen; therefore, a need felt to determine the legal nature of the NPSO, and the authorized roles to perform its tasks.

1.2. The definition of the NPSO Considering the presidential decree number 16-03

The national observatory for public utility was established by decree number 16-03, it was defined as an advisory body arising at the minister of the internal affairs; In other words, it means the negotiation with the mistrial circles and the other concerned institutions, it includes a group of experts, consultants, and senior executives who exercise senior positions in the state, with an aim to apply a national policy and supervised upon to promote and develop public utility and

administration, this would be achievable through the study, the suggestion, and the provision of views, pointers, statistics, and information to improve services' quality of public utility, as for the enhancement of the participatory dimension in the administrative management through supporting and encouraging the civil society in the amelioration of public services (Bakhouch sabiha, n°01, January, 2011).

1.3. The Legal Basis of the NPSO

The presidential decree 16-03 is considered the legal definer of the national observatory for the public utility; Thus, the contents of this legal provision have been viewed and revealed the national observatory as a national advisory body that does not feature independence and that is accompanied with a supervisory capacity to perform its tasks as well.

2. A Body with Central Jurisdiction

According to the first article of the presidential decree 16-03, the NPSO is established by the Minister of internal affairs and is called in the body of the text "observatory"; Thus, the observatory is considered a central national public body supervised by the minister of internal affairs and that according to article 08 "the observatory is structured and presided over the minister of internal affairs or their representative of members...."

Article 09 of the same decree states "The observatory members are appointed for three years renewable by the decision of the minister of internal affairs, and based on the suggestion of institutions and bodies they belong to", this reflects the submission extent of members to the presidential authority which is presented as a set of specialties owned by each president to face their subordinates who are connected with dependency and submission; that is, enabling the minister of internal affairs the power of appointment on the one hand, and the power to apply orientation and censorship on the subordinates' works (Omar B. , 2012, pp. 15-19).

The minister of internal affairs is able to delegate competence to any of their representatives to preside over the NPSO, which is considered a non-administrative concentration, featured among the central images, and the obligated necessity to reduce complications and facilitate the administrative work; Nevertheless, the delegation of competence should not be decoded as independence of the decision authority and a complete separation from a specific power. In this context, Odillon

Barrot said “We are always in front of the same hammer that hits but with a shortening of the striking hand” (Omar B. , 2012, pp. 25-26).

3. Mechanisms for Activating the NPSO to improve public service

Before moving into the mechanism of activating the national public service observatory to improve public service, the necessity felt to tackle its delegated tasks, then the mechanics able to ameliorate the observatory performance.

3.1. The Tasks of the NPSO Article 03 of the presidential decree 16-03 implies the modernization of public services upon the tasks assigned, the latter is distributed as mentioned:

3.1.1. The Contribution to Promote and Organize Public Utility

The NPSO relies on a set of mechanics, measures, and rules that facilitate the process of adaptation and integration of public utilities with the changes taking place in many fields: economic, social, technological, and so many.

In addition, the observatory proposes business in order to coordinate between the ministerial and administrative circles, as well as the public bodies within a frame of encouraging innovation and efficiency in the field of public utility services, the contribution to promote the employee’s rights, the embodiment insurance of the principle of equality and the benefit from the services of public utility. The observatory works to improve public utility services through conducting studies, research, and statistics, as it ameliorates participatory democracy by encouraging the users of public utility and civil society to improve the performance of public utility (Marouane Fouzia, 2022, p. 728).

Meanwhile, the simplification of administrative procedures and the fight against all administrative complications is considered among the granted powers of the observatory with the purpose of performing public services in a short time.

3.2. The Contribution to Modernization and Morality of the Public Utility

The national observatory for public utility is considered among the bodies which accompany administrations, institutions, and public bodies in performing and embodying their projects connected with the modernization of public utility (Hamadi, 2022, p. 807) by:

- Motivation of electronic administration to introduce and disseminate modern technologies.

- Motivation of all procedures to ensure informing citizens to obtain the information and collect points of view and suggestions, and respond to their complaints.

Regarding the importance of establishing professionalism and ethics in public utility which contributes to promoting and improving service performance, the national observatory participates in the establishment of all measures that would:

- Improving the working conditions of public utility agents.
- Creating and maintaining trust among the public utility agents.
- Establishing the features of humanization in the relations between the employees of the public utility.
- Promoting the ethical values associated with the work of the public service agents.
- Contributing to the embodiment of the culture of profitability and personal entitlement to the employees of the public utility.

4. Legal and Regulatory Mechanisms to Improve Performance of the NPSO

The national public service observatory needs to provide new legal and regulatory mechanisms and amend Presidential Decree 16-03 purposefully to keep up with the economic, and political changes and the national policies aimed at improving the public service through:

4.1. The Amendment of Legal Text Related to the Improvement of Public Service

The commitment of many legal texts to improve the performance of public administration becomes a necessity; Yet, three decades are sufficient enough to generate changes and amendments to the administration essence, which is concerned with:

- Law number 90-11 (law) includes the work relationships which article 16 therefrom states the obligation for institutions to devote job positions for people with disabilities according to modalities determined by regulation; As opposed to, the equality principle stated regarding the presidential decree 09-188 (dated 17 Jumada al-Awwal 1430 corresponding to May 12, 2009) entails the ratification of the convention on the rights of people with disabilities adopted by the United Nations General Assembly on December 13, 2006, which article 27 therefrom considered work and employment stated a discrimination ban on

the basis of disability related to all forms of employment, appointment, work, continuity of work and career advancement, and safe and healthy work conditions.

- The need to amend the administrative procedures for summoning and informing the citizen in accordance with decree 88-131 (decree) related to the relationship of the administration and citizen which articles 08 and 09 therefrom have stated upon, without referring to modern technology messages and their codification, such as official pages through social media, or summons by personal email, and so many others, within a framework of modernizing public utility.
- The need to amend executive decree number 90-226 (decree e.) (July 28, 1990) which defines the employees' rights and duties who perform senior positions at the state level; Yet, in light of article 21 therefrom, nobody can be appointed to state senior positions unless they meet the requirements of competence and integrity, then among these conditions:
- Five years at least of experience performing the work either in institutions, public administrations, or public bodies and institutions.

This is among the exclusionary conditions for the role of executives working for instance in the private sector, it requires keeping abreast of developments by integrating all competencies regardless of their status. Article 18 pointed to the inability to assign non-employee neither in state senior positions nor to have the right of appointment as an employee.

4.2. The Role of Digitalizing Administrative Culture in Achieving Government Excellence:

Different governmental institutions required collective needs. These include geographic and geodetic work, national or international consortia, large budgets, or calendar reform. The proper balance between the relative roles of astrometry and astrophysics and the most efficient mode of administration are among the many common advantages to erase corruption, achieve transparency in addressing social treatments, so that, the government agencies can avoid fraud and bribery in the administrative transactions with citizens, holding accountable for administrative negligence, as with eliminating bureaucracy (Kellermann et al 2020,p.33).

Much of the benefits would be gained from learning through online, interactive activities. As e-administration offers new government possibilities to all potential citizens, administrative correspondences will be able to get in touch with all materials at a time deemed more convenient for them. In turn, these possibilities imply free accessibility into schedule and physical settings about suitable choices;

Whereas, Computer-based environments help citizens synthesize information through communication that can occur across online environments .

in drawing to the fact, the adoption of an online strategy could relieve student tension and allow them to focus more fully on the subject matter. the reason that the affordance of technological capabilities is furthermore varied.

With regards to the second chapter of order number 06-03 (issued on July 16, 2006) which comprised the general basic law of the public office, article 58 therefrom noted the establishment of a negotiation body called the Supreme Council of Public Service with a set of roles similar to the tasks of the national observatory for public utility, the reason behind the creation of negative functional interference; then, the supreme council of public service is making the following (Bouderbala, 2020, p. 1399):

- Adjusting the main axes of government in the field of public employment.
- Defining the employees' formation policy and their levels of improvement.
- Studying the employment situation in public service both qualitatively and quantitatively.
- Ensuring adherence to the rules of public office ethics.
- Suggesting measures to improve the culture of public utility.

4.1.1. Expanding Composition of the NPSO To adopt the national public service observatory with technological, social, and economic developments and to promote innovations and efficiency in the field of services for public utility, the need felt to enhance the composition of the NPSO with a set of ministries able to provide an addition to the public administration; Yet, considering over the representatives of the previous ministerial sectors, a set of ministerial sectors are further suggested:

- **Ministry of Higher Education and Scientific Research:**The need to include the Ministry of higher education and scientific research due to the comprise of competencies, scientific frameworks, and administrative experiences that enable it to suggest numerous projects, views, and ideas to improve the functional performance of public administration.
- **Ministry of Digitalization and Statistics :**Considering the fact that the NPSO is aimed at modernizing public administration, it has access to benefit from the

technological experiences that the Ministry of Digitalization and Statistics covers.

- **Ministry of Knowledge, Economy, Emerging, and Small Enterprises:** This ministry is considered a nursery for inventions, and digital, and technological programs that are adopted to facilitate administrative procedures and improve public service by financing some projects that accomplish the qualification of public services.

5- Conclusion

The reality of the Algerian public utilities reflects the need to review the judgment of decree 16-03, which includes the establishment of the national public service observatory through comprehensive expansion of its powers to become supervisory and mandatory for the other public utilities, it has either to feature a form of administrative and financial independence or to follow a supreme administrative body as republic presidency rather than maintaining only on the non-mandatory consulting frame. Based on the already mentioned, in the case of non-activating the NPSO and remaining it in its recent particular form, the observatory would be unable to achieve its goals to improve public services. Nevertheless, it is needed to be enhanced through new supervisory mechanisms, to expand its composition, and to define accurately its tasks purposefully to avoid observatory interference with the tasks of the rest administrative bodies.

Results of Testing Hypotheses: Through this research paper, it was revealed that:

- According to presidential decree 16-03 which includes the establishment of the NPSO, the observation is not considered the principal definer to improve and promote public services but the secondary roles are sufficient enough due to the non-mandatory consulting nature and its composition which does not amount to the real representation of all public bodies and institutions serving the public services.
- Regarding the institutional approach, the study revealed a non-achievement of the four measures due to an absence of institutional freedom either concerning the financial budget or the freedom to recruit its members undertaken by the authority of the Ministry of Interior. However, the complication measure has

kept tasks of the NPSO without any amendment to keep up with internal and external changes. Therefore, legal and regulatory restrictions are considered among the restrictions to be reviewed.

Results of the Study

- The national public service observatory is a central consulting body that does not have financial independence, it contributes to improving public services.
- The NPSO faces many challenges that impede its development, widespread, legal regulatory restrictions, as well as technical and structural challenges.
- Expanding the composition of the NPSO contributes to effectiveness and ability for adaptation and harmony.
- Expanding the validity of the NPSO can solve many obstacles and challenges that are encountered in public administration.

Recommendations of the Study: Based on the assumable results, a set of recommendations are suggested enabling to enhance the role of the national public service observatory as stated:

- Improving the legal and regulatory infrastructure so that legislative bodies work to ameliorate the legal and regulatory framework of the national observatory for public utility, and providing the necessary legislations and regulations to support its mission, then to improve public service.
- Enhancing cooperation, coordination, and introducing the greatest experiences in the field of improvement, promotion, and modernization of public utilities either through conferences, forums, or research partnerships and joint cooperation.
- The institutional freedom is capable to alter the national observatory for public utility from consultation to mandatory censorship which contributes to the escalation of negative phenomena in public administration.
- The inclusion of new consulting bodies such as the NPSO, supreme youth council, Islamic supreme council, the supreme council of the Arabic Language and so many others to ameliorate the functional performance especially the concerned with ethics of the administrative work.

- Enhancing the NPSO with all modern technological capacities and devices, and their propagation over the rest of administrative units for a valid modernization that facilitates the complications and administrative procedures.

Research Prospects: Through a deepened study of the role of the national public service observatory in the promotion of public services, different philosophical prospects have emerged to investigate in the field, and among these possible prospects:

- Study of the impact of the national observatory on public utility and the spread delimitation of the administrative corruption phenomenon .
- Exploration of the impact of the national observatory on public utility in enhancing financial independence.
- Rationalizing public expenditures as a mechanism to reduce the deficit in the general budget.
- Study of the impact of the NPSO in enhancing electronic administration, defining the improvement of public employee competencies and transparency in administrative transactions.

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